

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

ALI RICHARD,

Plaintiff,

v.

STEVEN R. STROM, NANCY O'BRASKEY,  
REVEREND WILLIAMS, KARL LEWIS,  
JOHN ALDI, SCOTT ERFE, MICHAEL  
BIBENS, WILLIAM MULLIGAN, DEPUTY  
WARDEN MUDANO, COMMISSARY  
SERVICE MANAGER FAILLA, COUNSELOR  
SUPERVISOR BLANCHARD,  
CORRECTIONAL OFFICER WHITE, and  
MAILROOM PERSONNEL NORTON,

Defendants.

Case No. 3:18-cv-1451 (CSH)

**NOVEMBER 17, 2021**

**OMNIBUS RULING, PRELIMINARY EXHIBIT LIST, AND DEFENDANTS' EXHIBITS**

**HAIGHT, Senior District Judge:**

On June 2, 2021 and June 3, 2021, the Court held an evidentiary hearing ("Evidentiary Hearing") to create a factual record upon which the Court will base its decision on Plaintiff's Motion for Preliminary Injunction, Doc 63. The Court subsequently noted that the Evidentiary Hearing "has been continued and the record has been held open pending the Court's forthcoming scheduling order." Doc. 72 at pp. 3-4. On July 7, 2021, pursuant to the Court's Order granting Plaintiff's Motion to Appoint Counsel, Dkt. 75, Attorney Michael E. Driscoll appeared on behalf of Plaintiff. *See* Dkt. 79. Since Plaintiff is now represented by counsel, his Motion to Compel, Doc. 50, additional Motion to Compel, Doc. 61, and Motion to Seize, Doc. 62, are DENIED without prejudice to refiling by counsel.

Accordingly, the only remaining motion in this matter is Plaintiff's Motion for Preliminary Injunction. Given the extensive arguments at the Evidentiary Hearing and the subsequent appointment of Plaintiff's counsel, the Court hereby DIRECTS the Parties to provide further briefing on Plaintiff's Motion for Preliminary Injunction in accordance with the following schedule. Plaintiff must file an initial brief on or before **February 1, 2022**. Defendants must file any opposition on or before **March 1, 2022**. Plaintiff must file any reply on or before **April 1, 2022**. The factual record upon which the Court will base its decision on Plaintiff's Motion for Preliminary Injunction will close on **April 1, 2022**. The Court attaches to this Ruling a list of all Exhibits which were admitted into evidence during the Evidentiary Hearing (the "Preliminary Exhibit List").

The Court DIRECTS Plaintiff to attach to his initial brief the Exhibits marked Plf. Nos. 1-18 in the Preliminary Exhibit List. Each Exhibit should be labeled with the appropriate number based on the Preliminary Exhibit List. Directions regarding the submission of certain Exhibits are as follows:

- Plf. No. 9: Plaintiff must attach a *color* photocopy of the photograph Plaintiff offered as evidence during the Evidentiary Hearing to his initial brief.
- Plf. Nos. 10-13 ("Object Evidence"): Plaintiff must attach one appropriately labeled *color* photocopy of a *color* photograph of each item of Object Evidence to his initial brief.<sup>1</sup>

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<sup>1</sup> For example, Plaintiff should submit Plf. No. 10, Prayer Rug, as a color photocopy of a color photograph of the prayer rug Plaintiff offered as evidence during the Evidentiary Hearing. Similarly, Plaintiff should submit Plf. No. 11, Face Mask, as a color photocopy of a color photograph of the face mask Plaintiff offered as evidence during the Evidentiary Hearing.

- Plf. No. 16: Plaintiff must attach, as a single Exhibit, (1) a photocopy of the cover of *Standing on the True Square*, (2) any pages containing bibliographical information such as the author(s) of the book, the year of publication, and copyright details, and (3) photocopies of the pages containing the material Plaintiff referenced during the Evidentiary Hearing.

If Plaintiff intends to introduce additional Exhibits into the record that were not introduced during the Evidentiary Hearing, the Court DIRECTS Plaintiff to attach these proposed Exhibits to his initial brief. Plaintiff should label his first proposed additional Exhibit with the number nineteen and continue numbering subsequent Exhibits beginning with the number twenty.

In advance of the Evidentiary Hearing, Defendants submitted the Exhibits they introduced at the Evidentiary Hearing to the Court. Defendants further represented that they shared these Exhibits with Plaintiff in advance of the Evidentiary Hearing. Accordingly, Defendants' Exhibits are attached to this Ruling. If Defendants intend to introduce additional Exhibits into the record that were not introduced during the Evidentiary Hearing, the Court DIRECTS Defendants to attach these proposed Exhibits to their opposition. Defendants should label their first proposed additional Exhibit "Exhibit O" and continue identifying subsequent Exhibits beginning with the letter "P."

After the record is closed, the Court will decide which, if any, of the Parties' proposed additional Exhibits will be admitted to the record. The Court will then file a final, operative exhibit list of all Exhibits upon which the Court will rely in deciding Plaintiff's Motion for Preliminary Injunction.

It is **SO ORDERED**.

Dated: November 17, 2021  
New Haven, Connecticut

/s/Charles S. Haight, Jr.  
CHARLES S. HAIGHT, JR.  
Senior United States District Judge